

THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:	§	
	§	
BOBBY JAMES ROSS	§	CASE NO. 18-40881-R
XXX-XX-1897	§	
407 SHERRY LANE	§	CHAPTER 13
FARMERSVILLE, TX 75442	§	
	§	
DEBTOR	§	

TRUSTEE'S REPORT FOR CONFIRMATION AND WITNESS AND EXHIBIT LIST

**TRUSTEE'S REPORT FOR CONFIRMATION**

Attorney for Debtor: ALLMAND LAW FIRM, PLLC Trustee: CAREY D. EBERT

Plan filed on: April 27, 2018

Confirmation Hearing: August 01, 2018

Applicable Commitment Period: 36

I. Budget Information

A. Monthly income:

Debtor	\$	3,917.98
Joint Debtor	\$	0.00
Other	\$	750.00
Total	\$	4,667.98
Expenses	\$	4,357.00
Difference	\$	310.98

B. Monthly plan payments \*

\$310.00 for 60 months = \$ 18,600.00

II. Analysis of Plan

A. Monthly plan payment	*
B. Plan duration in months	60
C. Total to be paid into plan	\$ 18,600.00
D. Administrative allowance (10% of total to be paid into plan)	\$ 1,860.00
E. Net available to creditors	\$ 16,740.00

**TREATMENT OF ADMINISTRATIVE EXPENSES, DSO CLAIMS AND OTHER PRIORITY CLAIMS:**

**Section 4.3 - Attorney Fees:**

ALLMAND LAW FIRM, PLLC	\$3,717.50	0.00	\$0.00	\$3,717.50
DEBTOR ATTORNEY				

**Section 4.6 - Priority Claims - Taxes and Other Priority Claims Excluding Attorney Fees and DSO**

INTERNAL REVENUE SERVICE	\$12,000.00	0.00	\$0.00	\$12,000.00
TAXES				

**TOTAL PAID TO PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS:** \$ 15,717.50

**TREATMENT OF NONPRIORITY UNSECURED CLAIMS:**

**Section 6.1 - Executory Contracts and Unexpired Leases**

RASSIE & DAISY BARKER	\$0.00	0.00	\$700.00	\$0.00
RESIDENTIAL LEASE (Assume lease)				

**Section 5.2 - General Unsecured Claims**

Allowed nonpriority unsecured claims shall comprise a single class of creditors and will be paid:

- ☐ 100% + interest
- ☐ 100% + interest with no future modifications to treatment under this section
- ☒ Pro Rata Share of all funds remaining after payment of all secured, priority, and specially classified unsecured claims.

Debtor Non Exempt Property	\$0.00
----------------------------	--------

Trustee Asserted Non Exempt Property	\$0.00
--------------------------------------	--------

**TOTAL PAID TO PRIORITY, SPECIALLY CLASSIFIED UNSECURED AND SECURED CLAIMS:** \$15,717.50

**AMOUNT AVAILABLE TO UNSECURED CLAIMS:** \$1,022.50

**PROJECTED DISPOSABLE INCOME AMOUNT UNDER 11 USC §1325(b):** \$0.00

The Trustee objects to confirmation on the following grounds:

- It does not appear that the Debtor has dedicated all projected disposable income to the proposed plan as required by 11 USC §1325(b)(1)(B). Trustee is unable to determine disposable income at this time
- The Debtor has not tendered to the Chapter 13 Trustee the following documents:
  - Tax returns for the following year(s): 2016 - 2017
  - Paystubs for Debtor (current).
  - Current declaration regarding status of post-petition obligations. (TXEB Local Form 3015-c)

### **WITNESS AND EXHIBIT LIST**

The Trustee reserves the right to call as a witness any or all of the following listed persons in relation to confirmation:

1. Carey D. Ebert, Chapter 13 Trustee
3. Debtor
4. Any witness designated by other party

The Trustee reserves the right to introduce into evidence any or all of the following:

1. Copy of the Trustee's Confirmation Report, Witness and Exhibit List
2. Copies of any schedules or pleadings as filed herein by the Debtor or any other party
3. Copies of any Proof of Claim as filed herein by any creditor or other party
4. Copies of any Chapter 13 Plan and amendments thereof filed herein by the Debtor
5. Copy of the latest computer printout from the Trustee's office representing the Chapter 13 Plan payments received by the Trustee from the Debtor
6. If the Debtor is self-employed, the Debtor's monthly operating reports or profit and loss statements provided to the Trustee
7. Copies of the Debtor's prior years' tax returns as provided to the Trustee
8. Copy of Required Amendments sheet from the §341 Meeting of Creditors
9. Copy of any other document produced by the Debtor at the §341 Meeting of Creditors, or subsequently produced by the Debtor to the Trustee
10. Copy of the current issue of the Dallas/Fort Worth Metroplex Apartment Guide and/or copies of current reports from [www.apartmentratings.com](http://www.apartmentratings.com)
11. Reports from news media sources for the DFW Metroplex

Copies of these exhibits will be provided by the Trustee upon request by any party.

Respectfully submitted,

/s/ Carey D. Ebert

Carey D. Ebert, TBN 05332500  
Office of the Standing Chapter 13 Trustee  
500 North Central Expressway, Suite 350  
Plano, Texas 75074  
(972) 943-2580 / Fax (972) 943-8050

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Trustee's Report for Confirmation and Witness and Exhibit List has been served upon the following parties in interest on the date set forth below by either electronic service or mailing a copy of same to them via first class mail.

BOBBY JAMES ROSS  
407 SHERRY LANE  
FARMERSVILLE, TX 75442

ALLMAND LAW FIRM, PLLC  
860 AIRPORT FREEWAY, SUITE 401  
HURST, TX 76054

Dated: June 27, 2018

/s/ Carey D. Ebert  
Office of the Standing Chapter 13 Trustee